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 Third-Party Plaintiff AAI Corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NATIONAL UNION FIRE INSURANCE  
 COMPANY OF PITTSBURGH, PENNSYLVANIA  
 and AMERICAN HOME ASSURANCE COMPANY,

Plaintiffs,

v.

ELECTRIC TRANSIT INCORPORATED,  
 SKODA, a.s., SKODA OSTROV, s.r.o.,  
 AAI CORPORATION and CZECH EXPORT BANK,

Defendants.

AAI CORPORATION,

Counterclaim Plaintiff,

v.

NATIONAL UNION FIRE INSURANCE  
 COMPANY OF PITTSBURGH, PENNSYLVANIA,  
 AMERICAN HOME ASSURANCE COMPANY,

Counterclaim Defendants.

AAI CORPORATION,

Third-Party Plaintiff,

v.

AMERICAN INTERNATIONAL GROUP, INC.,

Third-Party Defendant.

Case No. C 04-3435 (JSW)

**FILED VIA "ECF" FILING  
 SYSTEM**

**STIPULATION TO  
 EXTEND SUMMARY  
 JUDGMENT BRIEFING  
 SCHEDULE AND [PROPOSED]  
 ORDER**

Hearing date: February 9, 2007  
 Time: 9:00 AM  
 Courtroom: 2  
 Hon. Jeffrey S. White

Stipulation to Extend the Summary Judgment Briefing Schedule and [Proposed] Order, Case  
 No. C-04-3435 (JSW)

1 WHEREAS, the Court's November 21, 2006 Order Setting the Briefing Schedule and  
2 Setting Dates (the "Order") set December 8, 2006 and December 22, 2006 as the respective  
3 dates for filing opposition and reply briefs in connection with AIG's Motion for Summary  
4 Judgment;

5 WHEREAS, the Order further states that the parties may modify the schedule by  
6 "submit[ting] for the Court's consideration a stipulation and proposed order demonstrating good  
7 cause for any modification requested";

8  
9 WHEREAS, Defendant, Counterclaimant and Third-Party Plaintiff, AAI Corporation,  
10 requests a modification of the schedule as the parties are currently preparing for mediation of  
11 this case pursuant to the Court's Alternative Dispute Resolution Program. This mediation will  
12 occur before the Honorable Eli Chernow (Ret., L.A. Super. Ct.) on December 4 and 5, 2006;

13 WHEREAS, Plaintiffs and Counterclaim defendants National Union Fire Insurance  
14 Company of Pittsburgh, Pennsylvania and American Home Assurance Company, and Third-  
15 Party Defendant, American International Group, Inc. (collectively "AIG") consent to the  
16 requested modification subject to the Court's scheduling needs and approval;

17  
18 WHEREAS, the mediation, if successful, will be case dispositive, saving the Court  
19 valuable resources and thereby evidencing good cause for extending the date and time for  
20 summary judgment briefing;

21 WHEREAS, the parties are not seeking herein to change the February 9, 2007 scheduled  
22 hearing date for oral argument on the summary judgment motion or any other dates ordered by  
23 the Court; and

24  
25 WHEREAS, no other modification to the summary judgment briefing schedule has  
26 previously been sought by the parties;

27  
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STIPULATION TO EXTEND THE SUMMARY JUDGMENT BRIEFING SCHEDULE AND ~~PROPOSED~~  
ORDER, CASE NO. C-04-3435 (JSW)

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between  
2 the undersigned parties, subject to the Court's approval, that:

3 1. AAI's time to file its opposition to AIG's Motion for Summary Judgment shall  
4 be extended to December 29, 2006.

5 2. AIG's time to file its reply in support of its Motion For Summary Judgment shall  
6 be extended to January 12, 2007.

7 Dated: November 29, 2006

8  
9 

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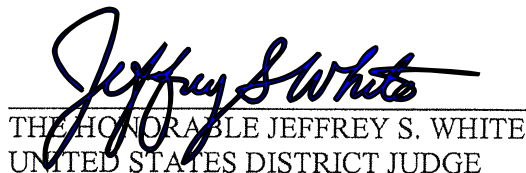
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Company, and American International Group,  
Inc.

16  
17 **SCHEDULING ORDER**

18 The Joint Stipulation to Extend Summary Judgment Briefing Schedule and ~~Proposed~~  
19 Order is hereby adopted by the Court and the parties are ordered to comply with this Order.

20 In addition, the Court orders the following: \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_

24  
25 Date: November 30, 2006

  
THE HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

26  
27  
28 STIPULATION TO EXTEND THE SUMMARY JUDGMENT BRIEFING SCHEDULE AND ~~PROPOSED~~  
ORDER, CASE NO. C-04-3435 (JSW)